

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AIRBIQUITY INC., a Washington
corporation,

Plaintiff,

v.

AT&T MOBILITY LLC, a Delaware limited
liability company; NEW CINGULAR
WIRELESS SERVICES, INC., a Delaware
corporation; and NEW CINGULAR
WIRELESS PCS LLC, a Delaware limited
liability company,

Defendants.

No. C08-0094 TSZ

**STIPULATED ORDER REGARDING
EXPERT DISCOVERY**

STIPULATION

Airbiquity, Inc. and AT&T Mobility LLC, New Cingular Wireless Services, Inc., and New Cingular Wireless PCS, LLC hereby stipulate and agree that the following shall not be discoverable in the above-identified litigation (the "Litigation"): (i) communications (whether oral, written or otherwise) occurring after the filing date of this lawsuit between or among experts retained by counsel (or the experts' assistants, "retained experts") and the retaining party's in-house or outside counsel, employees or consultants regarding the Litigation; (ii) drafts of expert reports created by retained experts after the filing date of this lawsuit regarding the Litigation; and (iii) notes, documents or work product prepared after the filing

1 date of this lawsuit by retained experts regarding the Litigation. Notwithstanding the above
2 exclusions, the following shall be discoverable: (i) notes, documents, work product or
3 communications (other than drafts of the expert's report) that have been relied upon by an
4 expert in the formulation of his or her opinions in the Litigation; and (ii) compensation
5 arrangements and compensation related documents for experts (e.g., an expert's bills and
6 invoices) regarding the Litigation.

7 So stipulated this 6th day of February, 2009:

8
9 DORSEY & WHITNEY LLP

10
11 /s/ Paul T. Meiklejohn
12 Paul T. Meiklejohn, WSBA No. 17477
13 Douglas F. Stewart, WSBA No. 34068
14 Attorneys for Plaintiff

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP

15 /s/ Michael A. Moore
16 Kelly Corr, WSBA No. 555
17 Michael A. Moore, WSBA No. 27047

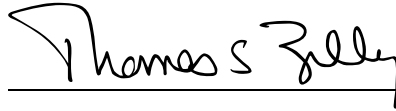
18 BAKER BOTTS LLP
19 Bryant C. Boren, Jr. (admitted *p.h.v.*)
20 Christopher W. Kennerly (admitted *p.h.v.*)
21 Travis W. Thomas (admitted *p.h.v.*)
22 Kevin E. Cadwell (admitted *p.h.v.*)
23 Michele A. Gustafson (admitted *p.h.v.*)

24 ATTORNEYS FOR AT&T MOBILITY LLC,
25 NEW CINGULAR WIRELESS SERVICES,
26 INC. and NEW CINGULAR WIRELESS PCS,
LLC

ORDER

IT IS SO ORDERED.

DATED: February 6, 2009.



Thomas S. Zilly
United States District Judge

Presented by:

/s/ Michael A. Moore

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP
Kelly Corr, WSBA No. 555
Michael A. Moore, WSBA No. 27047

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NEW CINGULAR WIRELESS SERVICES, INC.
and NEW CINGULAR WIRELESS PCS LLC